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TRANSMITTAL FORM

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Total Number of Pages in This Submission

ENTER 09/484,895 **Application Number** January 18, 2000 **Filing Date** Harrington, John J. **First Named Inventor** Group Art Unit 1632 Nguyen, Q. **Examiner Name** 0221-0003G Attorney Docket Number

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| | | ENCLOSURES (check all that apply) | | | |
| Fee Transmittal For | m | Assignment Papers After Allowance Communic (for an Application) | ation | | |
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| Amendment / Reply | | Licensing-related Papers Appeal Communication to ((Appeal Notice, Brief, Reply Brief) | ∃roup | | |
| After Final | | Petition Proprietary Information | | | |
| Affidavits/declaration(s) Extension of Time Request Express Abandonment Request X Information Disclosure Statement Certified Copy of Priority Document(s) | | Petition to Convert to a Provisional Application Status Letter | | | |
| | | Power of Attorney, Revocation Change of Correspondence Address Other Enclosure(s) (please identify below): | ; | | |
| | | Terminal Disclaimer Form PTO-1449 (2 sheets) | | | |
| | | 2 - References Cited in Form P | ГО-1449 | | |
| | | Remarks | | | |
| Response to Missing Parts/ Incomplete Application | | | | | |
| Response to Missing Parts under 37 CFR 1.52 or 1.53 | | | | | |
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| | SIGNATU | IRE OF APPLICANT, ATTORNEY, OR AGENT | | | |
| Firm | | | | | |
| or Individual name Anne Brown - | | Reg. No. 36,463 | | | |
| Signature | annelo | roun | | | |
| Date | Date February 9, 2001 | | | | |

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February 9, 2001

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RECEIVED ROSS IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

Harrington, et al.

Application No.: 09/484,895

Filed: January 18, 2000

For: COMPOSITIONS AND METHODS

FOR NON-TARGETED ACTIVATION

OF ENDOGENOUS GENES

Group Art Unit: 1632

Examiner: Nguyen, Q.

Attorney Docket No.: 0221-0003G

Commissioner of Patents **BOX DD** Washington, D.C. 20231

SECOND SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT

Sir:

Listed on accompanying Form PTO-1449 are documents that may be considered material to the examination of this application in compliance with the duty of disclosure requirements of 37 C.F.R. §§ 1.56, 1.97 and 1.98. Copies of documents AS25 and AT25 are submitted herewith. The cite numbers are based on the last cite number in the Information Disclosure Statement.

Where the publication date of a listed document does not provide a month of publication, the year of publication of the listed document is sufficiently earlier than the effective U.S. filing date and any foreign priority date so that the month of publication is not in issue. Applicants have listed publication dates on the attached PTO-1449 based on information presently available Harrington, *et al.* Appln. No. 09/484,895 Page 2

to the undersigned. However, the listed publication dates should not be construed as an admission that the information was actually published on the date indicated.

Applicants also bring to the Examiner's attention co-pending related Application Nos. 09/515,123, 09/515,124 and 09/729,416.

Applicants reserve the right to establish the patentability of the claimed invention over any of the information provided herewith, and/or to prove that this information may not be prior art, and/or to prove that this information may not be enabling for the teachings purportedly offered.

This statement should not be construed as a representation that a search has been made, or that information more material to the examination of the present patent application does not exist. The Examiner is specifically requested not to rely solely on the material submitted herewith. It is further understood that the Examiner will consider information that had been cited or submitted to the U.S. Patent and Trademark Office in a prior application relied on under 35 U.S.C. § 120. 1138 OG 37, 38 (May 19, 1992).

This Information Disclosure Statement is being filed in accordance with 37 C.F.R. § 197(b)(3), before the mailing of a first Office Action on the merits.

It is respectfully requested that the Examiner initial and return a copy of the enclosed PTO-1449, and to indicate in the official file wrapper of this patent application that the documents have been considered.

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It is believed there is no fee required in the filing of this document. The Commissioner is hereby authorized to charge any fee deficiency, or credit any overpayment, to Deposit Account No. 50-0622.

Respectfully submitted,

SHANKS & HERBERT

annebroure

Anne Brown

Reg. No. 36,463

Date: February 9, 2001

TransPotomac Plaza 1033 N. Fairfax Street Suite 306 Alexandria, VA 22314-1540 Please type a plus sign (+) inside this box

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INFORMATION DISCLOSURE STATEMENT BY APPLICANT

(use as many sheets as necessary)

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|------------------------|---------------------|--|--|--|
| Application Number | 09/484,895 | | | |
| Filing Date | January 18, 2000 | | | |
| First Named Inventor | Harrington, John J. | | | |
| Group Art Unit | 1632 | | | |
| Examiner Name | Nguyen, Q. | | | |
| Attorney Docket Number | 0221-0003G | | | |

| U.S. PATENT DOCUMENTS | | | | | | |
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| Examiner Initials* | Cite No. ¹ | U.S. Patent Document Number Kind Code ² (if known) | | Name of Patentee or Applicant of Cited Document | Date of Publication of Cited Document MM-DD-YYYY | Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear |
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| | FOREIGN PATENT DOCUMENTS | | | | | | | |
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^{*}EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

¹ Unique citation designation number. ² See attached Kinds of U.S. Patent Documents. ³ Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). 4 For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. 5 Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. ⁶ Applicant is to place a check mark here if English language Translation is attached.